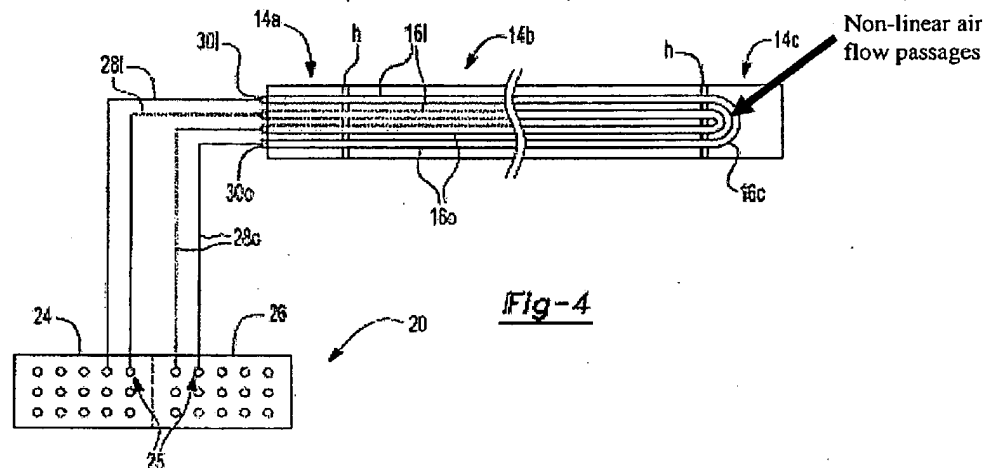


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REMARKS

Applicant wishes to thank the Examiner for the detailed remarks. Claim 12 has been amended. Accordingly, claims 2, 3, 5-10, and 12-16 are pending in the application.

The drawings stand objected to under 37 CFR 1.83(a). The examiner states that the drawings must show every feature of the invention specified in the claims, and that the "non-linear air flow passages" must be shown or the features canceled from the claims. Figure 4, as shown below, includes multiple curved passages 16c. These curved passages 16c represent an example of the claimed "non-linear air flow passages." Accordingly, Applicant respectfully requests that the objection be withdrawn.



Claims 2 and 12-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Bortugno (5,503,219). Independent claim 12 recites "a gutter wall with a continuous cross section." Bortugno discloses separate elements for the airflow passage and the water flow trough. For this reason, claims 2 and 12-16 are allowable.

Claims 3, 5, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bortugno. Base claim 12 has been amended as described above to include an element that is not disclosed nor suggested by Bortugno. For this reason, claims 3, 5, and 6 are allowable.

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bortugno in view of Bernardi (3,431,972). However, the Bortugno reference teaches against the

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combination of the two references. Bortugno discloses airflow exhaust ports 29 located along the airflow passage. By including a return system as put forth in Bernardi, the functionality of the exhaust ports of Bortugno would be compromised due to the alternate airflow path introduced by the return system. Therefore, the Bortugno reference teaches against combining it with the Bernardi reference.

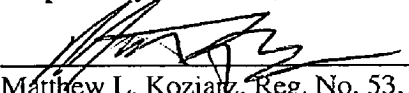
Additionally the examiner rejects the claimed multiple air flow passages and the claimed multiple of gutter sections as obvious on the basis that a mere duplication of parts has no patentable significance. MPEP 2143.01(IV) requires the Examiner give a reason why one of ordinary skill would modify the cited reference to include the missing feature in order to establish a prima facie case of obviousness. The rejection does not give any reason for modifying the cited reference.

Moreover, Applicant points out in Figure 2 that the claimed arrangement allows both the intake and return passages to heat the gutter section. Therefore, the claimed arrangement provides a new and unexpected result. For these reason, claims 7 and 8 are allowable.

Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bortugno in view of Bernardi as applied to claim 8, and further in view of Hamjy (2,240,851). The combination of Bortugno and Bernardi is improper as described above. For this reason, claims 9 and 10 are allowable.

Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,

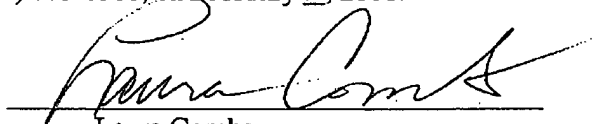

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Dated: February ¹⁴ 2008

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CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States patent and Trademark Office, fax number (571) 273-8300, on February 16, 2008.


Laura Combs